REMARKS

This amendment is submitted in response to the Office Action dated March 7, 2006. Claims 19-21 and 26-47 currently stand rejected. Applicant has amended claims 19-21, 38-40 and 47 to more particularly distinguish the claimed invention from the cited references. Newly added claims 48 and 49 have been added to further define patentable aspects of the invention. No new matter has been added by the amendment.

In light of the amendment and the remarks presented below, Applicant respectfully requests reconsideration and allowance of all now-pending claims of the present invention.

Claim Rejections - 35 USC §102

Claims 19-21, 26-31 and 35-47 currently stand rejected under 35 U.S.C. §102(b) as being anticipated by Kamada et al. (U.S. Patent No. 6,192,258, hereinafter "Kamada").

Independent claim 19 has been amended to recite, *inter alia*, while the device is in the closed configuration the processor controls the display to provide a first display control function providing received text to the user as text which streams, without repeated user input, through the visible portion of the display. In other words, **while** the device is in the closed configuration 1) received text is displayed, and 2) the received text is displayed as text that streams without user input.

Kamada is directed to a mobile communication device which can operate both as a personal digital assistant and a mobile telephone. The device of Kamada includes a rewritable non-volatile flash memory which is used to store personal management information (col. 7, lines 51-54) and, referring to Fig. 7 and col. 8, lines 16-22, this information includes details such as a person's name, telephone number, fax number and email address. When the cover of Kamada is in the open position, the full screen area is visible, as shown in Fig. 1B, and the stored personal management information can be displayed on the screen in the format shown in Fig. 7. Thus, when in the open position, the device may be used as a PDA as described in detail from col. 8 line 25 to col. 9, line 9 and shown in Figs. 8-10. When the cover of Kamada is in the closed position, the display window restricts the viewable area of the display so that only a portion of the display is visible through the display window. Due to the restriction of the viewable area of

the display in this configuration, only the information required to enable the device to be used as a telephone is presented to the user in this configuration. For example, only the names of persons and their associated telephone numbers are displayed in the viewable area as shown in Figs. 11 and 12. In other words, Kamada discloses that stored information and not received text is displayed in the viewable area when the device is in the closed position. Thus, contrary to the claimed invention, Kamada fails to teach or suggest that while the device is in the closed configuration, received text is displayed.

Furthermore, Kamada discloses at col. 9, lines 15-22, that in order to present the names and telephone numbers in the viewable area when the device is in the closed position, the image displayed on the screen (i.e. the image of Fig. 7) is shifted or scrolled as needed. Movement of the cover from the open position to a closed position is detected by a microswitch (element 143 of Fig. 1B) and the shifting or scrolling occurs **during** the transitional movement of the cover from the open position to the closed position and not while the device is in the closed position. Thus, Kamada fails to teach or suggest that **while** the device is in the closed configuration, the received text is displayed as text that streams without user input. More specifically, Kamada fails to teach or suggest that while the device is in the closed configuration the processor controls the display to provide a first display control function providing received text to the user as text which streams, without repeated user input, through the visible portion of the display as claimed in independent claim 19. Thus, independent claim 19 is patentably distinct over Kamada.

It is respectfully submitted that independent claims 38, 40 and 47 contain substantially similar recitations to that of independent claim 19 with respect to the display of received text in the closed configuration and independent claims 38 and 47 also contain substantially similar recitations to that of independent claim 19 with respect to the received text being displayed as text that streams without user input **while** the device is in the closed configuration. Accordingly independent claims 38, 40 and 47 are patentable for at least the reasons given above for independent claim 19.

Although independent claim 38 and 40 are patentable at least for the reasons stated above, yet further reasons for the patentability of independent claims 38 and 40 exist. For example, independent claim 38 recites, *inter alia*, that the device includes a user input key and a

single actuation of the user input key while the device is in the closed configuration causes the processor to control the display to provide the first display control function **while** the device is in the closed configuration. In other words, independent claim 38 further provides that the streaming text received may be presented in response to actuation of a user input key. Kamada also fails to teach or suggest this additional feature of independent claim 38. Independent claim 40 is directed to an embodiment in which different formats are offered depending on whether the device is in the closed or open configuration. Independent claim 40 has been amended to specify that the first format shows the received data as text by providing first quantities of content during respective first periods of time and that the second format shows the received data as text by providing at least a second quantity of content during the first period of time, the second quantity being greater than the first quantity. To the contrary, Kamada discloses the shifting of text on the display during movement of the cover and thus a single, fixed quantity of the same static text is displayed on the viewable area of Kamada. Thus, Kamada fails to teach or suggest corresponding quantities of content being displayed over respective periods of time since Kamada is directed to a static text display when in the closed position. Thus, claims 38 and 40 are also patentable for at least the additional reasons presented above.

Claims 20, 21, 26-31, 35-37, 39 and 41-46 depend either directly or indirectly from respective ones of independent claim 19, 38 and 40 and thus include all the recitations of their respective independent claims. Thus, dependent claims 20, 21, 26-31, 35-37, 39 and 41-46 are patentable for at least those reasons given above for independent claims 19, 38 and 40.

Accordingly, Applicants submit that the rejections of claims 19-21, 26-31, and 35-47 are overcome.

Claim Rejections - 35 USC §103

Claims 32-34 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kamada in view of Cushion et al. (WO 99/23800, hereinafter "Cushion").

As stated above, Kamada fails to teach or suggest that while the device is in the closed configuration the processor controls the display to provide a first display control function providing received text to the user as text which streams, without repeated user input, through

the visible portion of the display as claimed in independent claim 19. Cushion similarly fails to teach or suggest the above recited feature and is not cited as such.

Since neither Kamada nor Cushion alone teach or suggest that that while the device is in the closed configuration the processor controls the display to provide a first display control function providing received text to the user as text which streams, without repeated user input, through the visible portion of the display as claimed in independent claim 19, any combination of the cited references likewise fails to render independent claim 19 obvious for at least the same reasons described above. Claims 32-34 depend either directly or indirectly from independent claim 19, and thus include all the recitations of independent claim 19. Therefore, dependent claims 32-34 are patentable for at least those reasons given above for independent claim 19.

Accordingly, Applicant respectfully submits that the rejections of claims 32-34 are overcome.

Newly Added Claims

Applicant has added new claims 48 and 49 to more particularly define aspects of the present invention. The new claims include no new matter and are fully supported by the specification and the drawings of the present application.

Accordingly, it is believed that the new claims are in condition for allowance.

CONCLUSION

In view of the amendment and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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